

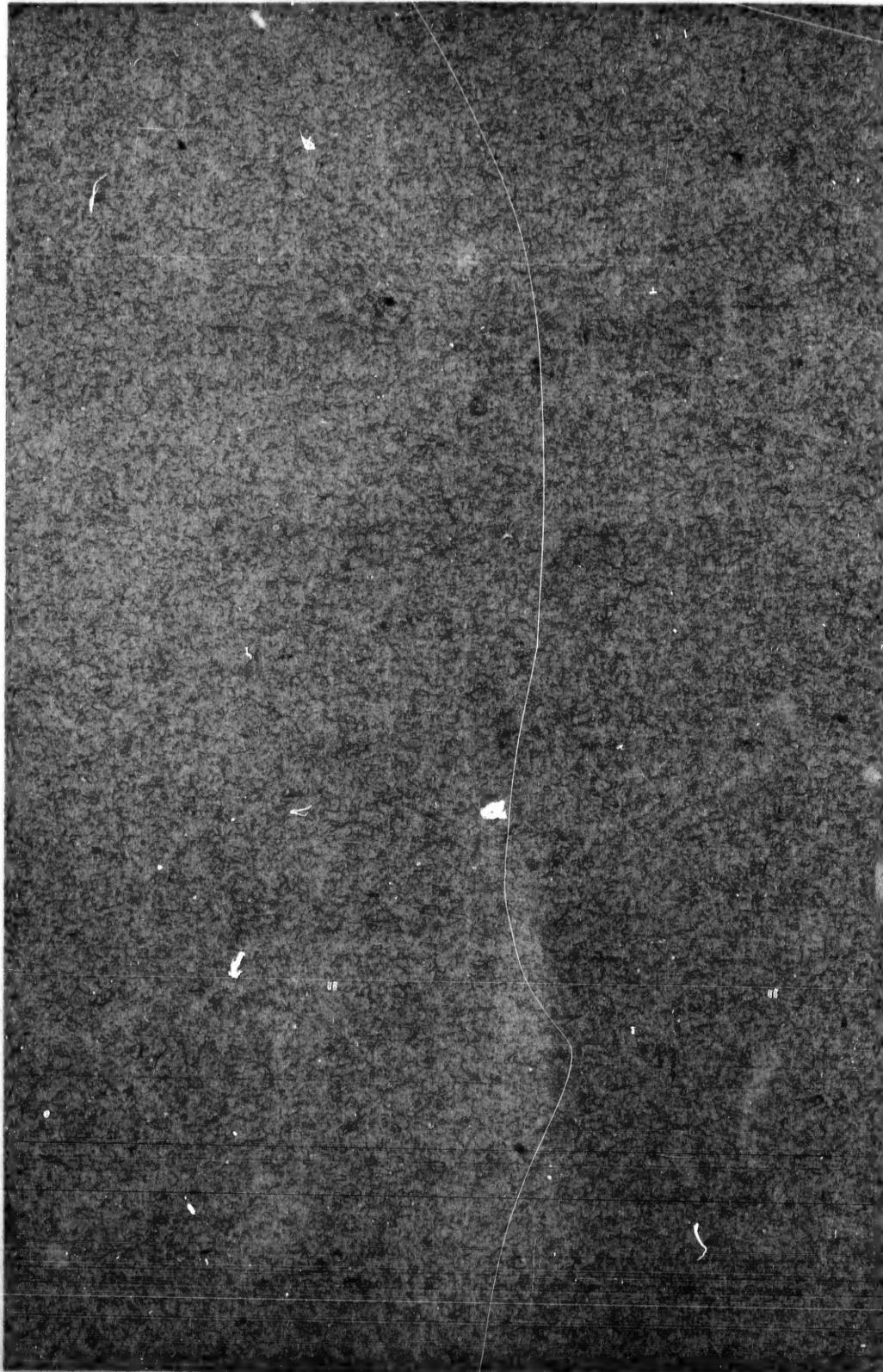
THE
De Boncherville Government
AND THE
CAUSES WHICH LED TO THEIR DISMISSAL.
AN HISTORICAL ACCOUNT.

"He is the freeman whom the truth make free." — COWPER.

PRICE, TEN CENTS.

Montreal.

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tion, that the five Ministers in the Assembly—Messrs. Robertson, Church, Malhiot, Garneau and Angers—were, as far as intellectual capacity went, a sorry substitute for Messrs. Ouimet, Irvine and Chapleau. In the Legislative Council, matters were even worse; Messrs. DeBoucherville and Lamine, having been called upon to replace Messrs. Beaubien, Archamault and Ross. The first session showed, beyond question, how weak the new Ministry was. Though Mr. Joly could, in reality, count on only a dozen followers, it is doubtful if the Government could have weathered the meeting if it had not been for the constant assistance and fostering care afforded them by Messrs. Ouimet and Chapleau. Never, in the history of Parliamentary Government, probably, could such another leader be found as Mr. Malhiot proved himself to be. He literally never rose to his feet without being guilty of some error or blunder, which it taxed the ingenuity of his two guardians to the utmost to rectify and repair. However, it was so universally felt, by the members of the party, to be so much to the interest of the *blue* faction to cover over and smother the scandal of the Tannery Land Swap, and it was so well known that such was the object for which the DeBoucherville Cabinet had been named, (an object by the way which it must be admitted was duly and somewhat unscrupulously attained, and can be attested by the fact that very large and compromising positions of the evidence taken by the Commission and even translated has never been published,) that their followers in the House had mercy upon their inexperience and incapacity, and they were permitted to stumble through the session. Then came changes in the Ministry. The verdict of not proven was looked upon as having whitewashed Mr. Chapleau, and he and Mr. Ross were taken into the Ministry to replace Mr. Malhiot and Mr. Lamine. The change, as far as intellectual capacity went, was for the better, but the advantages derived from it in some of the Departments were more than compensated by the nomination of Mr. Church in the place of Mr. Robertson at the head of the Treasury. The previous Treasurer can scarcely be looked upon as a man of very brilliant parts, it is true, and in spite of a somewhat austere demeanor, his conduct during the last session has led more than a few to doubt whether he could always be trusted to rise above considerations of personal advantage, and in times of public emergency and at the call of duty lose sight of his private inter-

ests ; but as a financier, he must be acknowledged to have been infinitely preferable to his successor. The one was only incapable, the other proved dangerously mischievous. Mr. Robertson had already gone a long way and made a very doubtful step, when he proposed to borrow \$4,000,000 to aid railway enterprises, in one of which, it is well to remember, he himself was known to be deeply interested. Mr. Church overreached himself completely, and sank both himself and the Province into the mire, when he sought to improve upon Mr. Robertson's doing, and assumed the North Shore and Northern Colonization Railway Lines as Government enterprises, borrowing, for the purpose of carrying them through, another \$4,000,000, and securing the power of issuing Railway Debentures for \$3,000,000 more, the payment of which was guaranteed by the Province. His boast when remonstrated with by Mr. Joly, on account of the seeming recklessness of his expenditure, will not be readily forgotten. This province has secured to it by the Dominion subsidy, a borrowing power of \$20,000,000. These enterprises, fraught with danger to the public, had very materially strengthened the hand of the Ministry in the house. It is computed that at least one-fifth of the Members composing the last Legislative Assembly, were more or less directly interested in some one of the lines under subsidy, and the public generally, with the thoughtlessness which so often marks the conduct of large bodies of men, as compared with the caution which more usually characterizes each man's conduct in his private affairs, were perhaps not displeased to see large enterprises prosecuted which would be sure to cause the expenditure of considerable sums, and did not choose too closely to enquire into the facts of the case, taking for granted the correctness of the representations made by the Treasurer that the receipts would more than pay the interest on the outlay, and that the imposition of no new taxes would be required. The more clear-sighted, and those who did not choose wilfully to blind themselves, saw the consequences likely to attend the terrible mistake which was being committed, and not a few raised their voices in earnest warning, among others Mr. Joly and his faithful little band of Liberals ; but their remonstrances were disregarded their intreaties unheeded, and Mr. Angers' Railway policy as it has since been called, was *carried*. There was one man who voted with the Government then, and who knew better than any other in the House the results which must inevitably follow

the unwise course resolved upon. That man was Mr. Robertson, the ex-treasurer. He had protested in a weak sort of way, it is true, saying that though the Province could afford to negotiate one loan of \$4,000,000 it would be unsafe to try a second; but he never took the stand it was his duty to take. Why did he not then rise in his place like a man, and proclaim the danger that was threatening, and which he could not help foreseeing? His voice then raised might have saved the disaster, and, at all events, if his protest had proved useless, he would now have the satisfaction of feeling that he had been faithful to his trust. Why? Because he unfortunately happened to be deeply interested in one of the roads dependent upon the Government for aid. Mr. Angers' Railway policy was already bearing its fruit; it served as a bribe for some, as a scourge for others; from that day the Railway men were under the thumb of the Government to corrupt or to intimidate, as the occasion might require.

In order to carry out this famous railway policy in a satisfactory manner, it was deemed expedient to name a Commission of three, to see after the work and be answerable for the disbursements of the heavy sums to be expended. The selection of that Commission let the country into another little secret. Though selected chiefly, if not solely, on account of his reputation for unswerving uprightness and rectitude, Mr. DeBoucherville, it soon became apparent, was not more above lending himself to a small and even an unsavoury job, when a political object was to be gained, than had been his predecessors. One man had become, through his want of tact and breeding, intolerable in the House; no less a personage than the leader, Mr. Malhiot. It had, therefore, become necessary to get rid of him, all the more so that Mr. Angers, who appears, at that time, to have exercised great influence over the Premier, was impressed with the conviction that nature had kindly fitted him out with all the necessary qualities to be the leader of the House, and modestly looked forward, at no distant date, to be hailed the Chief of the great *blue* party—the successor of the “immortal” Sir George Cartier. This conviction had been fostered, doubtless, by the fact that there were between them considerable similitudes in stature, voice and temper; there the resemblance, however, ended. Sir George Cartier, even those most bitterly opposed to him are prepared to admit, was a man not only of considerable ability, extensive constitutional knowledge and indefatigable

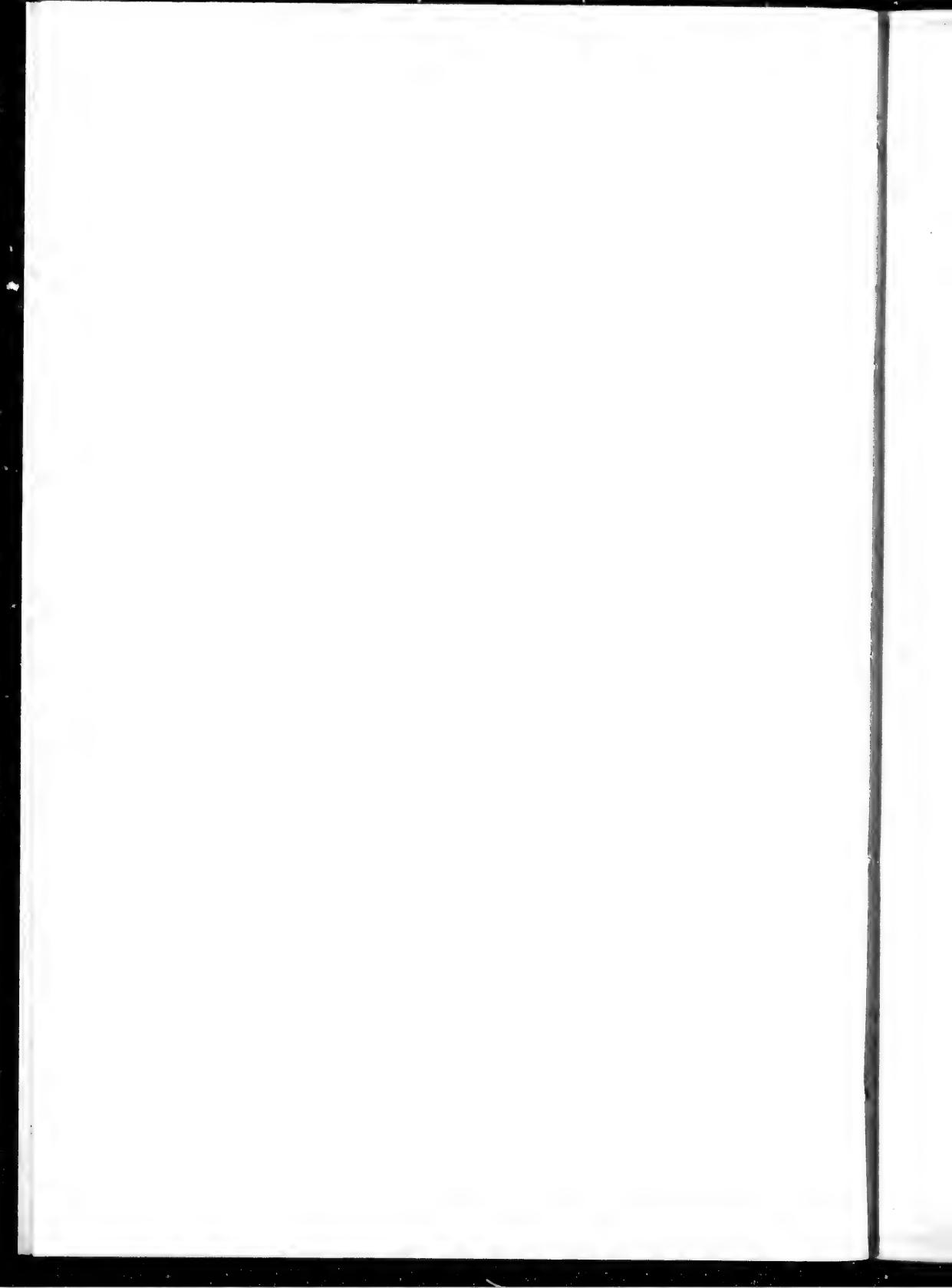
industry, but a man of unimpeachable personal integrity. Sir George Cartier would have scorned to name his father-in-law a Railway Commissioner, for the corrupt purpose of securing to him the contract for supplying the iron. That little fact points to part of the gulf which separates the two men; Mr. Angers may be said to be a happy combination of all Sir George Cartier's faults without any of his virtues. Mr. Malhiot, therefore, had to be removed to make way for the ambitious Mr. Angers. Mr. Malhiot, therefore, was named President of the Commission; and, it may be added, what little was done by that exceedingly expensive and useless Board was done by him. Mr. Irvine's presence on the Opposition benches proved a still more discomforting thorn in the side of the Government. He had no following, it is true. The Opposition had received him, glad, no doubt, to secure a vote, but they neither trusted him nor liked him. Still, to quiet the anxieties of Mr. DeBoucherville and his followers, it was thought better to shelve him. They, therefore, unceremoniously offered to buy him for \$3,000 a year as Commissioner, with nothing to do, except to attend to his own business and practice. The offer was a tempting one to a man supposed to have an interest with Mr. McGreevy, the contractor. It was closed with,—and Mr. Irvine, who had first deserted the Government in hopes of bettering himself, and, in consequence of a job which he himself had sanctioned, now sold himself back to them for \$3,000 a year and a place as Railway Commissioner. One appointment still remained. Mr. Angers claimed it for Mr. Chinic, his father-in-law, an extensive hardware merchant, who desired the contract for furnishing the iron to the North Shore, and who has since openly boasted that he has secured it. This nomination was made, and the job was complete. Mr. Langevin himself could not have named a more disgracefully incompetent Commission, for reasons more flagrantly corrupt.

The nomination of the Commission, it is true, settled at once and for all in the estimation of the people, Mr. DeBoucherville's supposititious reputation for unswerving honesty and irreproachable integrity, but at the same time it still further established his power. When the "late lamented" Judge Caron felt that he must bow before the storm raised by the Tannery Land Swap scandal, he sought for some person who for a time might replace his Ministry, to which he was strongly attached, and who would be willing to make way for them

again when the tumult was somewhat appeased and quiet restored. It never was intended by the old experienced politicians who directed Conservative affairs in this Province, that the interests of the party should be entrusted to the care of such men as Mr. DeBoucherville and his associates for any length of time. They were, it was well known, only appointed to keep the places warm for those who had gone before. Such an arrangement, however, it would appear, suited neither Mr. de Boucherville nor Mr. Angers, and having by their railway policy strengthened their hold upon the House, they refused when the time came to make way. Mr. Ouimet had to content himself with the place of Superintendent of Public Education, an office conferred upon him in defiance of a law passed for the express purpose of securing the place to the Hon. Mr. Chaveau. Mr. Chapleau and Mr. Ross were taken in because the brains of the one and the standing of the other were deemed necessary, but they never were able, even if they attempted it, to exercise any beneficial control over their co-associates. Mr. Chapleau, in truth, seems to have been the only man in the Cabinet who saw the danger into which they were drifting, and when, last summer, at St. Lin, he sought to yield a little to the pressure of public opinion, the whole *blue* press was set at him and he was unmercifully scourged back into the ranks. It is notorious that more than once he was at variance with the majority of the Cabinet and especially with the Premier, and it was further publicly rumored that both he and Mr. Garneau were to be deprived of their portfolios immediately after the session.

When the House met in December, the anxiety of the public may be said to have assumed formidable proportions. To begin with, in spite of the Treasurer's vaunt of a Provincial twenty-million-dollar-borrowing-power, the greater part of the last loan had remained on the hands of the first purchasers—the Merchants' Bank—and had contributed in no small degree to involve that institution in serious financial difficulties, which had caused much loss. The Treasury, moreover, was known to be empty, and a large loan at an exorbitant rate was reported to have been negotiated by the jaunty and reckless Treasurer, from the Montreal Bank. In the Law Department, matters were even worse. The only plea that can be urged in palliation of the conduct of the Attorney-General, if excuse it can be deemed, is his complete ignorance of the law he was called upon to administer.





The first note of warning as to his qualifications, the first startling piece of information which called public attention to Mr. Angers, and very deservedly brought down upon his head the indignant censure of the independent and right-thinking portion of the press, was his refusal to grant his *fiat* to the issue of a writ of error, ordered by the Court of Queen's Bench. The squandering of the public monies is bad enough in all conscience, but it is a mere trifle as compared with the personal liberty of the subject, which fortunately cannot be infringed without the risk of leading to very serious trouble. The boast of every British subject, since the days when the bold barons stood forth with arms in their hands on the banks of Runnymede, has been that his personal liberty is sacred, and can be interfered with only through the properly constituted tribunals and by a judgment of his peers. The jealousy which guards this right is peculiarly English, it finds its expression in the *habeas corpus*, a protection afforded wherever the Anglo-Saxon predominates, and nowhere else. Somehow, the French Canadian portion of the community seem never to have been able to appreciate at their just value, the safeguards which the English Constitution has so carefully thrown round the person of the subject. They have, no doubt, made a step in advance of the days when they petitioned so earnestly against parliamentary institutions and trials by jury, but they never have been able thoroughly to realize the advantages secured by it, since confederation, especially the faction which has ruled in the Province of Quebec, has given unmistakable signs of a desire to return to old French rules and customs. The only thing they seemed to require, was the accession to a high legal office of a bold, arbitrary and thoroughly ignorant man like Mr. Angers, in order to lead to the irregularities, to use a very mild expression, which we are now called upon to deplore. No other Attorney-General, however incompetent, has ever ventured upon an exercise of arbitrary, wilful malice, so cruel in its motive, so lawless in its method, as that displayed by Mr. Angers in the case of the man named McGrath. Had the prisoner died during the term of his confinement, Mr. Angers would most certainly have found himself with his right hand uplifted in the dock, and would furthermore richly have deserved such punishment as the law with no lenient hand at times awards to the crime of manslaughter. The organization of the Provincial Police into a body of French *gendarmes*, at first chiefly used for purposes of intimidation

at elections, and afterwards hired to powerful corporations to carry out their violent and unjustifiable designs, is another outrage, a parallel of which can be found in no other British possession. Nor were the other departments much better served than Mr. Angers'. As Minister of Agriculture and Immigration, Mr. DeBoucherville, year after year, wasted immense sums transplanting *habitants* from the Lower St. Lawrence to the Eastern Townships, and comfortably settling these men on choice farms, in newly built houses, and on partly cleared land, at public expense, for the sole purpose of swamping the Protestant vote. It is a fact admitted by Mr. DeBoucherville under his signature, in his last report, and which calls for the most serious animadversion, that most of the *repatries* never had left the country. The Minister of Crown Lands, wishing to secure and retain the good will of the lumbermen, accepted from them promissory notes in payment of timber dues, until these notes reached nearly half a million of dollars in face value, a large proportion of which is now admitted to have become worthless. Considering that the timber dues of the Province may be considered as a sort of custom dues, the impropriety of Mr. Garneau's conduct cannot be too severely reflected upon. His answer in justification, and the excuse offered by the Ministry in his defence, that the House had been made aware of the fact, without justifying Mr. Garneau, only more strongly points to the urgent necessity there was of getting rid of such a House. It is beyond question that the members of the legislature were made quite aware of the circumstance, and the supporters of the Cabinet seemed perfectly satisfied; but, at the same time, the question presents itself forcibly as to whether the interests of the province were not in imminent danger placed in the hands of men so subservient and so unmindful of their trust. Moreover, the approval by the DeBoucherville faction of an act of wrong-doing by Mr. Garneau could scarcely be expected to convert that wrong into right, that evil into good.

Such were the most serious accusations known to the public and to be brought against the Ministry when parliament assembled. They can be summed up in a very few words. Mr. DeBoucherville's adherents had been corruptly remiss in collecting the revenue due; imprudently extravagant in the expenditure of the monies on hand; and had, moreover, shown a disposition with arbitrary self-will to infringe upon the liberties of the people and disregard the safeguards of the constitution.

The Legislature was called together in December, and immediately adjourned until late in the following month. Under a constitutional form of government, the speech from the throne drafted by the Ministry, and delivered by the head of the executive at the opening of the session, is supposed and intended to foreshadow and announce the more important measures immediately about to be submitted to the representatives of the people. In this instance, the speech from the throne announced nothing, except a few unimportant measures concerning agriculture, reformatories, asylums, and the license act, most of which, it is well to note, were never introduced. Either the Ministry had then decided upon their new railway policy, and their scheme of additional taxation, or they had not. If they had, they were wilfully and intentionally misleading both the Lieutenant-Governor and the people, and had made their first step towards the unconstitutional setting aside of the rights of the Crown, and the arbitrary overriding of the liberties of the people, which, before the end of the session, was to lead to their dismissal; or their policy, as the opponents of the Government have since frequently urged, was completely changed and remodelled during the adjournment, in consequence of the pressure brought to bear upon them from outside quarters—a fact they themselves have strenuously denied. The truth is probably to be found between the two. The Treasurer, in all probability, had determined upon the Stamp Act, the railway policy was forced upon them during the vacation. The House met and adjourned without doing anything, because the hearing of a speech from the throne, saying nothing, and the passing of a correspondingly meaningless reply, can hardly be considered business. On the 19th of January, the Legislature re-assembled, after an absence of almost a month. From that day until the 29th, when Mr. Angers brought down his railway resolutions, literally nothing was done; the House met for form's sake each day, sat an hour, and adjourned. The Opposition, through their leader, complained incessantly of the inaction of the Government, but their remonstrances were invariably met with coarse sneers and jibes, and often rude and uncourteous rejoinders from the ill-conditioned gentleman who occupied the place of leader. These eleven days were of much moment to the country; they were, beyond doubt, spent in manipulating the House, and securing the blind and subservient concurrence of the majority, which was so soon to make itself so unenviably notorious as the personification of "brute force." Before the

adjournment of the House in December, the Hon. Mr. Archambault had drawn attention to the fact that a change had been made in the location of the line of the North Shore Railway from Maskinongé to Montreal, which made the line not only much longer in his estimation, but much more expensive. The discussion thus inaugurated in the Legislative Council was carried on with much vigor in the press of the Province during the vacation, and a storm raised which at one time threatened to overthrow the Ministry. Instead of carrying out the line, as laid down by the North Shore Railway Company in its plans, when the road was transferred to the Government, and passing by *Bout de L'Isle* directly into Montreal, the Government chose to select a new route, and run the line from Maskinongé to Terrebonne. The reasons assigned for this change were, that the line had been erroneously laid; that a proper allowance had not been made for the spring floodings at Berthier; that to make the line of any use it would be necessary to raise the level of the whole, several feet, which would prove a most costly work; and that, moreover, the objections to a draw-bridge, which the route by *Bout de L'Isle* made necessary, were so serious as to more than compensate the short additional distance added by a more circuitous route further inland, when an ordinary stationary bridge would suffice. No one at all familiar with politics in this Province, will for a moment doubt, that a far stronger reason still was to be found in the fact that Terrebonne returns Mr. Masson, the leader of the Ultramontane *blue* faction to the Commons, and Mr. Chapleau to the Assembly. From Terrebonne, it was intended to continue the road to St. Therese, and thence join the Northern Colonization road and enter Montreal by the road already built. This route had the disadvantage of lengthening the distance from Quebec to Montreal, but shortened the road from the West to Quebec; it moreover gave the go-by to Montreal, and secured the shipment of the traffic from the West to Quebec direct. In other words, it was a complete deviation from the understanding entered into between the Companies and the Cities, when each city consented to subscribe \$1,000,000 towards aiding the enterprise, from which it expected the most immediate advantage. To Quebec the advantages more than compensated the disadvantages, and the citizens did not complain; but, in Montreal a storm of indignation arose and a deputation was sent down to Quebec to have an interview with the Prime Minister on the subject. The question then came to be, which

was the stronger—the Prime Minister or the influence of the City of Montreal. Mr. DeBoucherville was soon made to feel that he must either yield or be defeated. He gave way, and it was then determined to continue the road from Terrebonne, not to St. Therèse, but into Montreal. Some reasons might be urged in favour of the St. Therèse route, especially its inexpensiveness; but none could be offered for the new one. Hitherto, only Montreal had been dissatisfied; now, both Quebec and Montreal were up in arms; and, what was still more embarrassing, the Government could no longer change the route to Terrebonne, because part of it was already built; the Cabinet, with the *sic volo sic jubeo* spirit which animates both, Mr. DeBoucherville and Mr. Angers having ordered the alteration without consulting the people, or caring one jot for their opinion. This was the first part of the railway policy; the second was considerably worse. The first, dishonestly and in bad faith, to serve the private interests of political friends, advocated the wasting of the public monies to build a tortuous and expensive road, setting at naught the agreements entered into most solemnly with the two cities and the various municipalities along the line; the second was intended to sap the very foundations of the Constitution, to assail the dearest rights of British subjects, to overthrow the guarantees of the *Magna Charta*, and enable the Government to combine judicial with executive powers, and dispose, summarily and at will, of the properties of their fellow-countrymen.

To understand more thoroughly the reasons which prompted the attempt to seize by force upon the bonds which the cities of Montreal and Quebec, and the various municipalities very properly refused to give, it is necessary to cast a glance at the state in which the finances of the Province stood when Mr. Angers introduced his railway resolutions. As before stated, all the monies the Government had in hand had been exhausted, a loan for half a million at heavy interest negotiated, and another for a similar amount, at the same rate, stipulated for and promised. The revenue, in truth, was decreasing, though no trouble had been spared to make it appear as largely increased, and the expenditure in almost every department steadily augmenting. To these sources of embarrassment must be added an interest debt on our ill-advised loans, of nearly \$400,000 a year, almost one quarter of the revenue. The railways, moreover, were by no means built. Very considerable outlays were still required, especially on the North

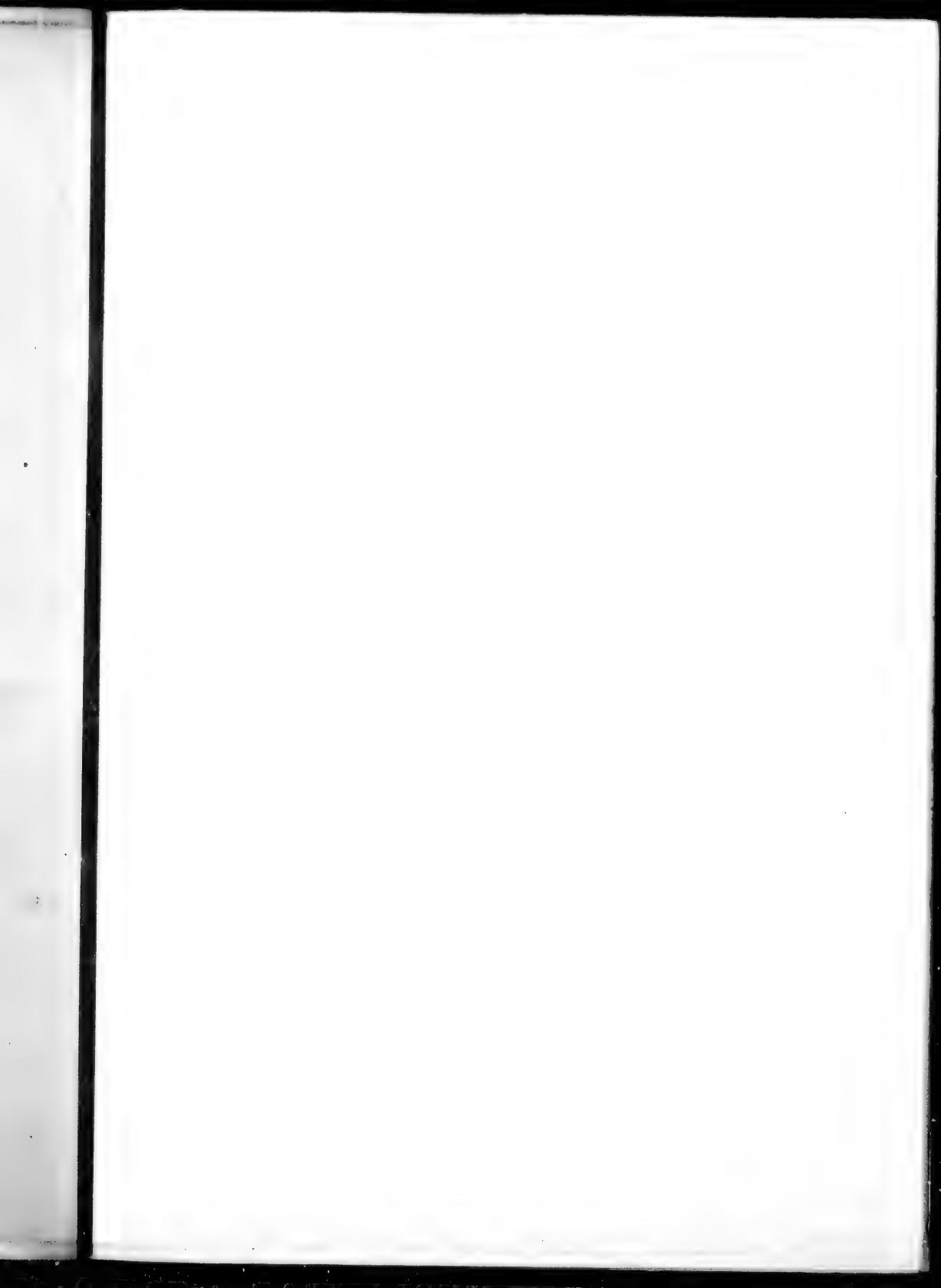
Shore, to carry the line to deep water on the St. Lawrence, which had not even been commenced. European troubles had affected the money market, and the Treasurer had just opened his eyes to the unpleasant certainty that his much-boasted-of power to borrow twenty millions on the credit of the Province was a myth, an idle dream, which had haunted his wakeful hours, it is true, and which he had carefully communicated to the world as a solemn and unquestionable reality, but which never had existed except in the workings of his over-excited brain. The Merchants Bank had found it impossible to place on the English market even one-half of the new loan, and he found himself in pressing need of the money to be realized by the sale of the \$3,000,000 of railway bonds. Under the circumstances, he had been notified, that any attempt to place this new loan upon the market would inevitably result in damning both it and the previous one. Mr. Church was pleased to lend a willing ear to the representation so made, especially as he knew that the shameful, not to say dishonest, manner in which the capitalists who had made advances to the Levis and Kennebec Railway Company had been treated, both by the contractors and the Government, had rendered it hopeless to expect assistance in England for any more Quebec railway enterprises. Under the circumstances, the Treasurer, carefully choosing the moment when money would be most scarce, had, as has been before said, closed with the Montreal Bank for a loan at seven per cent. As the provincial bonds bear five per cent. interest, the effect of such a step can be readily imagined on the value of the bonds. The last provincial loan not having been absorbed, and railway bonds in consequence of past misdeeds being known to be unnegotiable, Mr. Church did not quite see his way to obtaining the monies of which he felt so pressing a need, when he suddenly bethought himself of the various sums voted by the municipalities in aid of the enterprise, when the building of the Q. M. & O. R. R. was a private scheme, and sought some means to secure these bonds as soon as possible. Though he cannot but have felt that the credit of the Province as a whole being exhausted, but little confidence would be likely to be placed on any attempt at pledging it piecemeal, still, to the municipalities at all events, no stain attached of want of faith and rank dishonesty. Whatever Mr. Reed, the duped creditor of the Levis and Kennebec, might say of the Government of the Province of Quebec, whatever character he might give to Messrs. De Boucherville,

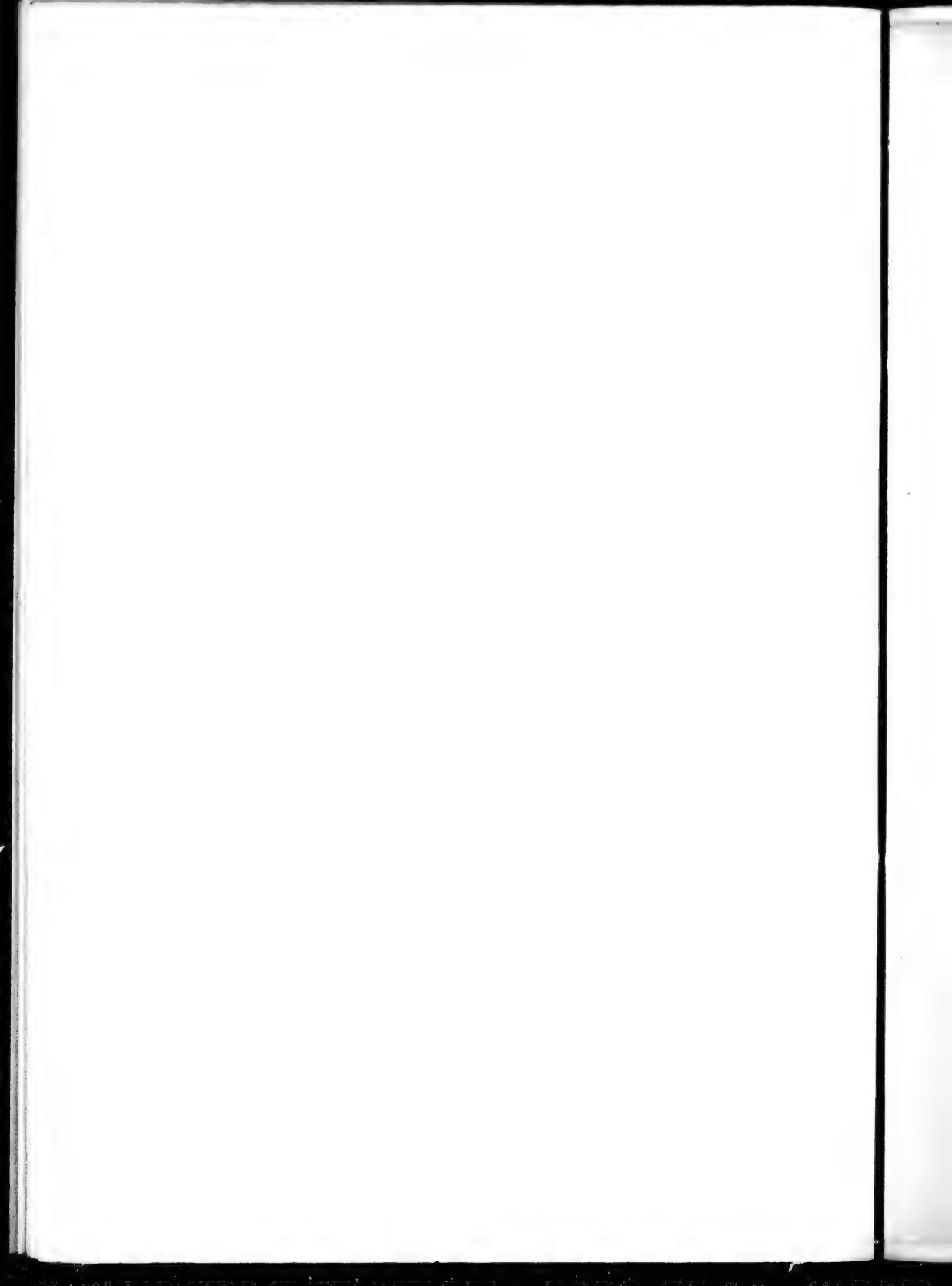
Church, Angers, and the other members of the Cabinet, he could say nothing against the honesty of the cities of Quebec and Montreal, and the various municipalities ; though their credit had necessarily suffered with the credit of the whole Province, from the extravagance and incapacity of the Ministry, still their character remained, and on that character a dishonest Ministry, by unlawful means, now sought as a last resource to trade.

The second part of the railway resolutions must, at all events, be admitted to have had the advantage of being perfectly clear and unambiguous. It provided that, in the event of the cities of Montreal and Quebec, and the various municipalities along the line of rail, continuing to refuse to issue their bonds for the amounts by them subscribed, syndics should be named by the Government to replace the various mayors and wardens whose signatures to the bonds were necessary, and that the bonds, so signed by the said syndics and handed to the Government, should be held to be as binding upon the two cities and municipalities as if they had been signed for them by their duly elected mayors or wardens ; and that, in the event of the interest on any of the said bonds becoming over-due fifteen days, the Sheriff should be notified, without further proceeding, to take in execution such amount of property within the limits of said municipality, as should be necessary to pay the interest so over-due ; and, further, that none of the Courts of the Province should have the right to enquire into the matter in any way whatever. These provisions certainly appear simple, and, above all, effective. Interest being due, the Sheriff would only have had to select some handsome property, taking care, of course, to avoid that of his own particular friends, or the friends of the gentlemen in power, and bring it to the hammer ; the proceeds of the sale would have gone into the treasury, and the plundered man might afterwards have settled with the municipality as to how he should be reimbursed the proportion which might be due him in consequence of the involuntary payment he had made for his neighbours as well as himself. In the dark ages, such a simple law might, perhaps, have been looked upon with admiration, except that instead of the provision that any property would be taken in execution, it would doubtless have been considered more just to say, any and every Jew and usurer known to reside within the limits of the municipality, shall be cast in gaol, and all his goods confiscated. Unfortunately for Mr.

Angers and his colleagues, in the nineteenth century and under the Union Jack, heroic legislation of this kind is not appreciated. British subjects, such at least of them as have any idea of their rights and privileges under the constitution, have an awkward way of enquiring whether such laws can really be passed, and whether, supposing them to be rushed through a venal House of Assembly and an incapable Legislative Council and the Royal sanction extorted from some subservient tool, such as has ere this been seen in the Lieutenant Governor's chair, whether and to what extent armed resistance would be justifiable.

It must not be forgotten that six hundred years ago, with arms in their hands, the forefathers of the British portion of the population in this Province secured from King John, among other inestimable rights and privileges which now constitute the heirloom of every British subject, the *guarantee* that no man's property should be seized except upon the judgment of a properly constituted tribunal. The liberty which it was deemed worth risking life to secure six hundred years ago, is surely worth a struggle to retain to-day. Mr. Angers of course knows nothing about Magna Charta, except by name; Mr. Church seems too indolent to care whether himself and all his countrymen are enslaved or not; and Mr. Baker has even less knowledge of Constitutional law than his "august leader," the Attorney-General. The House had previously been bought by a bribe promised, the railway rings; that fact is now established beyond question by Mr. DeBoucherville's own assurance to the Lieutenant-Governor, that the Government could be carried on in no other way. The resolutions, unconstitutional though they be, therefore, passed in a house, composed for the most part of lawyers, by a two-third vote. And yet many of these gentlemen must have known that the infringement upon the secured rights of the people contained in that Statute was far more outrageous than the exercise of lawless power which brought Charles Stuart's head to the block. In his case he had only levied monies from his people without their consent; in this case agents were to be named to bind the people by bonds signed not only without their consent, but against their will, and the courts of justice were unlawfully to be shut in the face of those who might attempt to seek redress. With a wonderful skill which no one else has ever matched, Mr. Angers by one law, managed to infringe the two most essential provisions of the Magna Charta. The resolutions, as may be readily imagined,





were hailed throughout the country with a cry of execration. Mr. Angers had introduced them with the admission that they would be a stain upon the Statute book, but at the same time declared his intention, since it had become necessary to do so, of taking the cities of Montreal and Quebec "by the throat." More unbecoming language never before fell from the lips of a man placed in so high an office; it at once stamped him as unfit to hold the position he occupied, and at the same time showed the natural malice and arbitrary and tyrannical temper of the manikin. From the first, the Liberal press expressed the opinion that the Lieutenant-Governor would withhold his sanction from the Railway Bill on the ground that it was unconstitutional. Meetings were held throughout the country censuring the Government policy, and calling upon the representative of the Crown to exercise his authority and prevent the Act from becoming law; among others, petitions to that effect from the city councils both of Quebec and Montreal were forwarded to the Hon. Mr. Letellier de St. Just. To these remonstrances, the Government turned a deaf ear. The popular excitement, especially in Quebec, in consequence of the sullenly defiant attitude of the Ministry, began to assume more formidable proportions, and during the sitting of the Assembly, Mr. Angers, after having been paraded through the streets, was burnt in effigy before the main entrance of the parliament buildings by an immense concourse of people. The executive answered by calling out the military—an act of doubtful propriety, as there was no riot—and mustering the gendarmerie. An immense meeting of property holders in Quebec was called immediately after, and a deputation sent to Mr. De Boucherville, composed of sixty of the most influential and wealthy citizens of the town, chosen from both parties alike and all nationalities, to represent to him the wishes of the people, and remonstrate with him on the unfair course determined upon by the Government. The deputation was introduced by the mayor, who formed part of it, grossly insulted by Mr. De Boucherville, and turned out of doors.

The railway resolutions had no sooner been passed than Mr. Treasurer Church brought down his budget. Even in this, the duplicity and want of faith of the Ministry was forcibly illustrated. Some days before, in answer to enquiries from the Opposition benches, the Treasurer, had declared that his financial statement was quite ready, but that the first of February was the day fixed for the opening of the tenders for

the lease of the completed portions of the Q. M. O. & O. R., and that until he had taken communication of those tenders, he would not be in a position to inform the House what receipts might be expected to be derived from the road, and his statement in consequence, would be incomplete. With his usual bland courtesy, he begged the gentlemen on the other side to have a little patience ; immediately after the opening of the sealed tenders, he would bring down the budget. The reason assigned for the delay was, it must be admitted, an excellent one ; the good faith and honesty of the Treasurer was not questioned, and the matter was allowed to rest there. The railway resolutions were passed, and the next day, the 31st of January, Mr. Church brought down the budget, exactly twenty-four hours before the opening of the tenders for the lease of the road ! Such conduct requires no comment, it is of a piece with the whole policy of the De Boucherville Cabinet ; prevarication, corruption and intimidation were the sole means they seem to have employed to carry on the Government.

The financial statement was a simple one. The treasury was empty ; monies were very much needed, and the expenditure had exceeded the revenue. A vast mine of wealth in the meantime, however, the people were assured, had been discovered, which would give employment to those out of work, effectually check the flow of emigration to the United States, furnish constant traffic, at remunerative rates, to our different lines of rail, and, in very few years, improve the soil of the country, so as to cause the cereals of the Province of Quebec to be sought after with eagerness in all the markets of Europe. Mr. Vennor, the weather prophet, had discoveered some most valuable phosphate deposits, and Mr. Garneau, of " wild cat " notoriety, would introduce a measure to regulate their sale and working. In the meantime, two new taxes would be imposed—one on agreements for sums over \$200, the other on transfers of stock. These taxes were to be collected by means of stamps. Two years before, it will be remembered, a measure had been introduced taxing assurance policies, and compelling the affixing of stamps in proportion to the amount assured. This tax had been resisted by some of the Assurance Companies, and two judgments—one in the Superior Court and another in the Court of Appeals—had held the imposition of Provincial taxes, as attempted by means of stamps, to be unconstitutional and in violation of the 92nd Section of the British North American Act. From these judgments, an

appeal had been taken to the Privy Council in England, where the case now is awaiting a final decision. Most people would have supposed that the fact, that such strong reasons existed for doubting the legality of this mode of taxation, would have been sufficient to prevent the Treasurer from having recourse to it a second time. One peculiarity, however, of the De Boucherville Government seems to be, not merely the indifference but the actual pleasure it always apparently took in setting public opinion at defiance. Mr. Angers' declaration, that he cared not a jot for public opinion, was at first looked upon as an idle piece of braggadocio of more than questionable taste; but the conduct of the whole Cabinet, from the day of the proposal of the railway resolutions to the day of their dismissal, showed a fixed determination to set at nought not only public opinion, but the most sacred bulwarks and safeguards of the Constitution. One after another, protests, remonstrances, resolutions, petitions, deputations, were cast to one side without ceremony or hesitation, until at last, in their mad career, Mr. DeBoucherville and his fellow-conspirators resolved to disregard and over-ride the privileges of the Crown, and treat the representative of Her Majesty with the same brutal insolence they had shown to the Quebec deputation.

One of the chief misfortunes of the Quebec Cabinet is that, though more than sufficiently supplied with Attorneys, there was not a lawyer to be found among them, except perhaps Mr. Chapleau, and his utterances since the dissolution on the constitutional question, if conveying his earnest opinion and not intended for mere political purposes, certainly do not speak well for his attainments as a well read constitutional jurist. Mr. Church's qualifications had been already proved during his term of office as Attorney-General, to be of the most humble kind. Both he and Mr. Angers seem from the first to run away with the notion that anything can be made law, by passing both houses and obtaining the Royal sanction. Such is not the case, fortunately for those who find themselves under the rule of such men as composed the late Ministry. In reference to this subject, the following words taken from "Cooley's Constitutional Limitations," are well worthy of note:—"An unlimited power to make any and everything lawful which the Legislature might see fit to call taxation, would be, when plainly stated, an unlimited power to plunder the citizen." In the same chapter, on the Power of Taxation, the following rule

is laid down:—"In the second place, it is the very essence of taxation that it be levied with equality and uniformity, and to this end, that there should be some system of apportionment." This essential quality was wanting in the new taxes; they were not, and never intended to be fairly apportioned. They were intended, like the Assurance tax, to fall almost exclusively upon the city populations and mercantile portion of the community. The protests against the new taxes, especially those on the transfers of stocks, which would have closed the office of almost every stock-broker in Montreal, were even more numerous than those against the Railway Act, and met from the Government with exactly the same treatment—silent contempt.

From the 31st of January to the 23rd of February, the House was kept comparatively idle; the only incident which marked the interval being the "admonition" of Mr. Joly, for saying that the Government ruled the House by "brute force." The expression was a strong one, but certainly not unparliamentary, and more than justified by Mr. Angers' jeer—that he might say what he pleased, they would vote him down. The rulings of the Speaker, throughout a long and angry debate, were marked by strong party *animus*, and were by no means creditable. Every effort to get embodied in the votes and proceedings some record of the expression used were of no avail. The whole thing looked very much as if both the Government and the Speaker felt that the expression did not justify the censure, and consequently sought, by every means in their power, to prevent the full account of their misbehaviour from going down to posterity. As the matter now stands, the fact is established that, on a given day, Mr. Joly was censured by the Speaker, though why, or wherefore, no where appears.

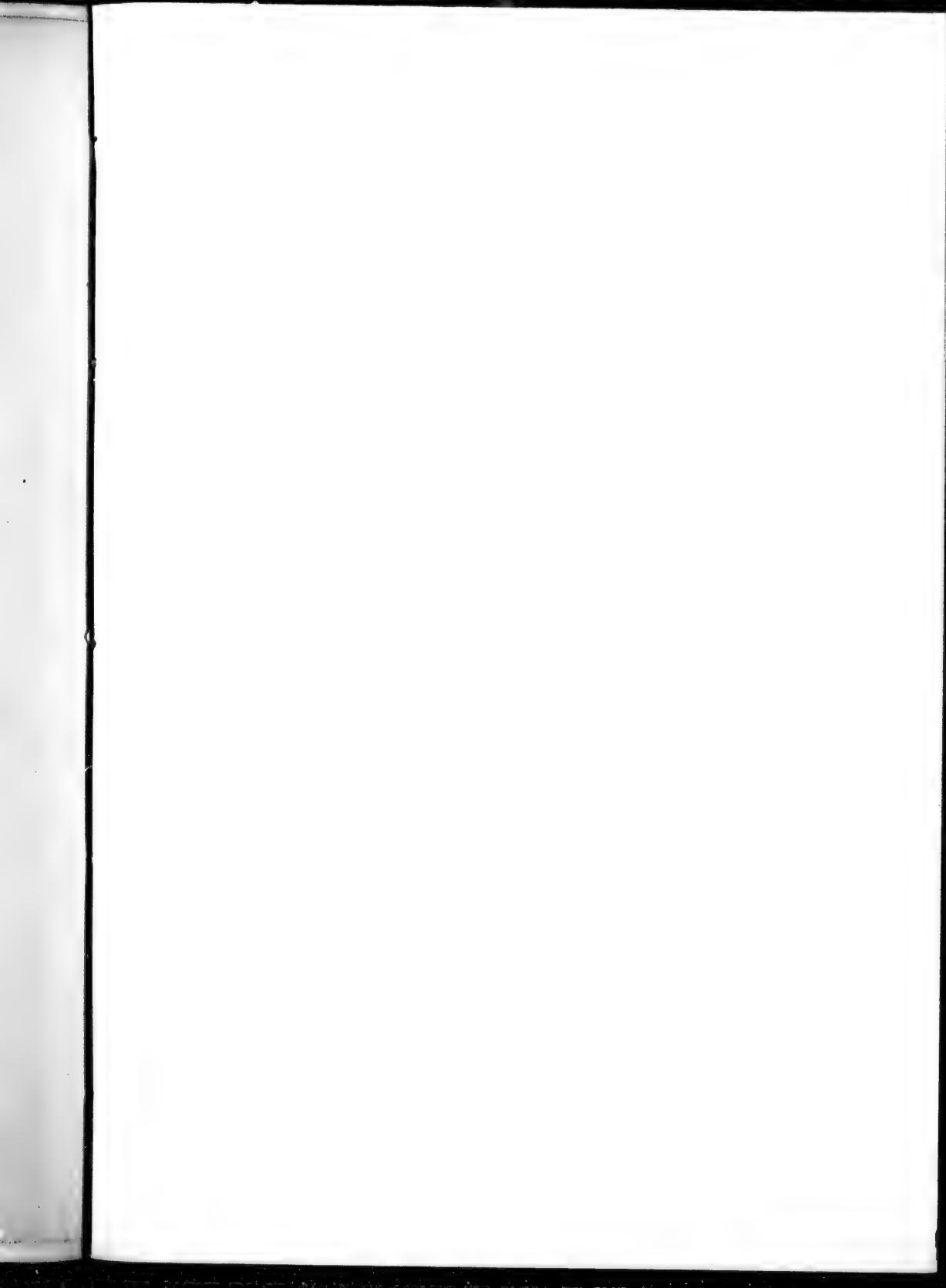
On the 23rd, just at the extreme end of the session, when the House was sitting twice, sometimes three times a day, Mr. Angers introduced his additional railway resolutions, granting an advance of \$1000 a mile each to the Levis & Kennebec Railway Company, and the St. Francis and Megantic International Railway Company, and \$1500 a mile to the Missisquoi and Black Rivers Valley Railway Company. It was paying the members for Dorchester, Megantic, Brome, Compton, Stanstead and Sherbrooke, with some others less directly interested, for their support of the first unconstitutional railway resolution. It may not unfairly be described as being as open and barefaced a piece of corruption as ever was carried through. Before the Attorney-

General had sat down, every one of the members alluded to above, was as clearly and distinctly branded as if he had been an ox at a fair, with a ticket marked "sold" hung round his neck. That such was the case, the whole public felt at the time; we since have Mr. DeBoucherville's admission to the Lieutenant-Governor, putting the matter beyond question. On the following Friday the Stamp Act was carried, the three members representing Montreal voting for it. The next day the Lieutenant-Governor dismissed his Cabinet, and called upon Mr. Joly to form a Ministry.

An inquiry into the rise, progress and fall of the DeBoucherville Ministry furnishes a marked illustration of the danger which must invariably accompany the placing of power in incompetent hands. When Mr. DeBoucherville accepted office in place of Mr. Ouimet, driven from power by a disgraceful and dishonorable land swindle worthy of the worst ring of political jobbers which have brought into disrepute the Legislatures of our neighbors, he no doubt meant honestly to do his duty; but he yielded little by little to the pressure brought to bear upon him by the scheming men who surrounded him, until at last he was fain to admit to the Lieutenant-Governor that the House was controlled by railway rings whom he was obliged to subsidize; that otherwise the Government could not command a majority. When he received the care of the Province, there was a large surplus in the Treasury; the revenue considerably exceeded the expenditure; the Province was peaceful and quiet; prosperity and happiness predominated, and everything seemed to predict an easy and a glorious lease of power. In three short years, the surplus has disappeared; a debt of twelve millions has been incurred; new and onerous taxes have been imposed; the Treasury is empty; the liberty of the subject has been invaded; a sense of insecurity has been called into existence by the ruthless legislating away of vested rights; the laws of education have been tampered with and rendered ineffective; an expensive *gendarmesrie* has been established; waste and extravagance mark every department of the Government; and the Cabinet, after attempting to pass unheard-of legislation, are obliged at last to admit with a whine, that they are only, after all, the obedient tools of a set of subsidized brigands, who, formed into a controlling ring in the House of Assembly, force them by the threat of loss of office to dole them out the last scrapings of a ruined Exchequer.

The career of the DeBoucherville Ministry was a short one, but it can scarcely be termed a glorious one.

By a communication bearing date 1st March, the Lieutenant-Governor dismissed his Cabinet, and the next day called upon Mr. Joly to form a new Ministry. The Constitutional right of the Hon. Mr. Letellier de St. Just to adopt such a course, though questioned at first, seems now to be universally conceded. Mr. Todd, universally acknowledged to be the best authority in the Dominion on an abstract question of Constitutional law, seems to have no doubt on the point, and the same view had been taken both by Sir A. T. Galt and Sir Francis Hincks, neither of them men likely to approve of any unjustifiable extension of prerogative power. Nothing can be more distinct than the opinion given by Mr. Todd, as will be seen by the following extracts : " The right of a Sovereign to dismiss his Ministers is unquestionable ; but that right should be exercised solely in the interests of the State, and on grounds which can be justified to Parliament," (p. 7.) " In his Commission of appointment, the Governor-General is expressly empowered 'to exercise, from time to time, as you may judge necessary, all powers lawfully belonging to Us, in respect of assembling or proroguing, the Senate or House of Commons of our said Dominion, and of dissolving the said House of Commons : and We do hereby give the like authority to the several Lieutenant-Governors for the time being, of the Provinces in Our said Dominion, with respect to the Legislative Councils, or the Legislative or General Assemblies of those Provinces respectively." (p.p. 12-13.) The power of the Lieutenant-Governor to dissolve is therefore beyond question ; or to use the words of Sir Francis Hincks, " We are quite clear as to the entire Constitutionality of the course of the Lieutenant-Governor." Having ascertained that the Lieutenant-Governor had the right to exercise the prerogative and dismiss the Ministers, the next question would seem to be, under what circumstances would he be justified in doing so, and did the circumstances of this particular case sanction such a proceeding on his part ? For the first part of this question, an answer is to be found in Todd. He declares it to be a well-established principle, " That the Governor," (and we have seen it applies equally to the Lieutenant-Governor), is personally responsible to the Imperial Government for his exercise of the prerogative right of dissolving Parliament ; and he is bound to have regard to the general condition and welfare of the Country, and not merely to the advice of his Ministers, in granting or refusing a dissolution. And should he deem it advisable to insist upon the



dissolution of an existing Parliament, contrary to the advice of his Ministers, he is not debarred from issuing the necessary orders to give effect to his decision, because his Ministers, for the time being, are sustained by a majority of the Local Assembly: although such an act, on the part of the Governor, should involve their resignation of office. But no Governor has a Constitutional right to insist upon a dissolution of Parliament, under such circumstances, unless he can first obtain the services of other advisers, who are willing to become responsible for the act: and unless he has reasonable grounds for believing that an appeal¹ to the constituent body would result in an approval, by the new Assembly, of the policy which, in his judgment, rendered it necessary that the Parliament should be dissolved," (p. 24.) The dissolution was advised by the present Cabinet, and all that now remains to enquire is whether or not the reasons which actuated the dismissal of Mr. DeBoucherville are valid.

Mr. Angers, in his explanations given to the House on the 8th March, said:—"It is my duty to announce to the House, that the DeBoucherville Government did not resign. A Government, possessing the confidence of the great majority of the Representative Assembly, and of almost the whole of the Legislative Council, has no right to resign if it has really at heart the interests of the country and a respect for its duty. This Government has been dismissed from office by the Lieutenant-Governor." The fact that the Ministry commanded the confidence of the Assembly even legitimately, Todd tells us, is no bar to their being dismissed; but what rights could Mr. DeBoucherville and his associates claim from the possession of that confidence, when it was known to the Lieutenant-Governor that the majority was secured by corrupt means, by subsidies paid out of the public purse? The Hon. Mr. Letellier de St. Just, in his communication to the Governor-General, bearing date 19th March, 1878, says: "But, my Lord, there is another point still more important, which I cannot any longer refrain from mentioning. From the conversations which I have held with Mr. DeBoucherville, there results a fact, which, if it were known, would of itself have sufficiently justified me in believing that he did not possess the confidence of the people of this Province.

"On two different occasions, some time after the session of 1876, I remonstrated with him, that millions had been voted to aid railways in general, at a time when our finances did not

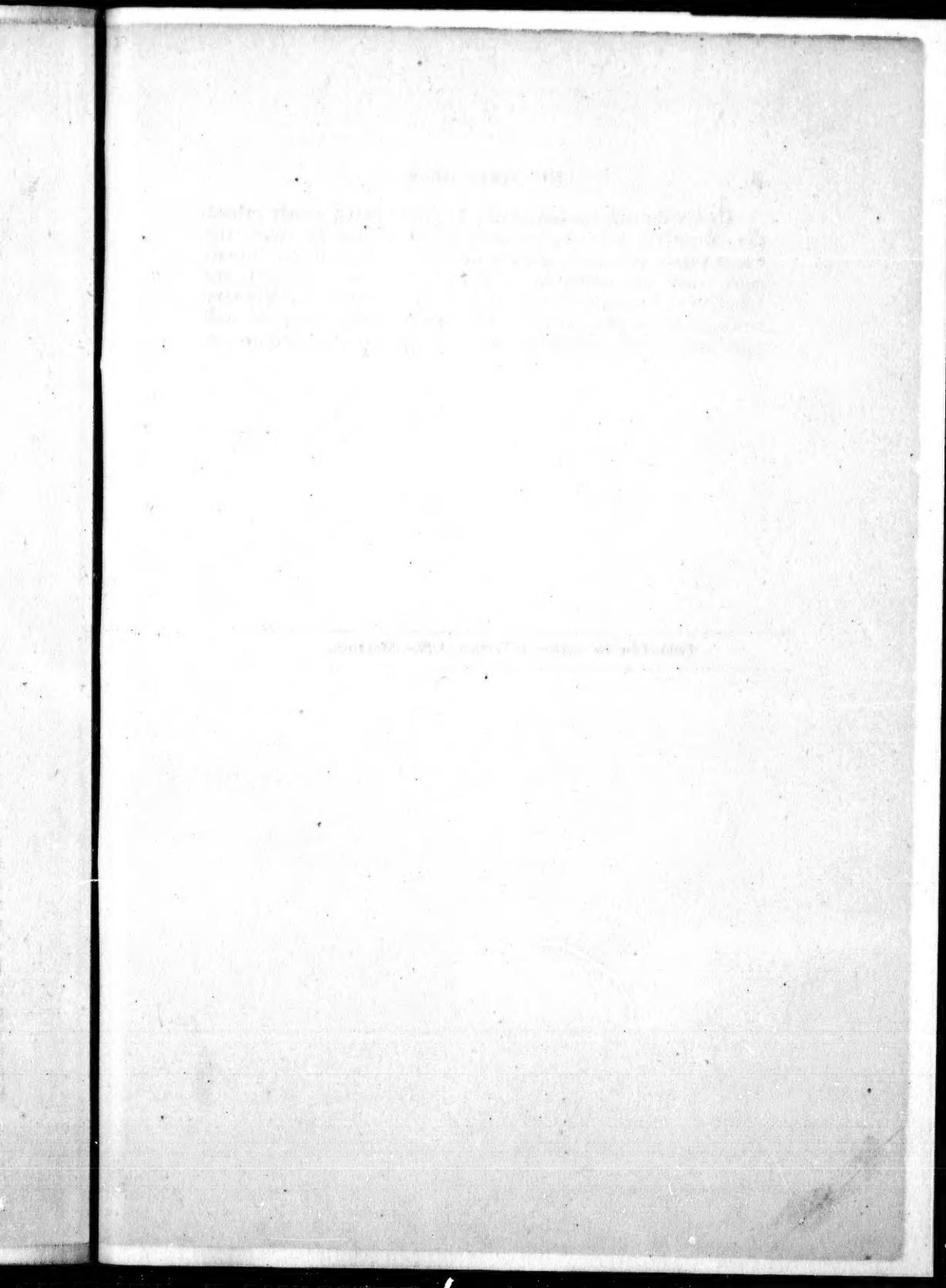
appear to me to be in a condition to warrant a lavish expenditure in subsidizing these numerous undertakings, particularly as, apart from them, our credit was heavily pledged towards the building of the 'Quebec, Montreal, Ottawa and Occidental Railway.'

"He very frankly avowed that these grants, though they were for the development of the Province, had been necessitated by political considerations that, without them, the support of the members whose Counties were traversed by these railways, would cease to be secured to Government, and there would be no means of having a majority; that these members formed 'rings' to control the House."

These words, if there was nothing else, contain a full vindication of the line of conduct adopted by the Lieutenant-Governor. The Province was known to be in very serious financial difficulties, and yet thousands, even in the last session, were being given to the "railway rings," to secure a majority in the House. The boasted confidence of the Assembly, made so much of by Mr. Angers, turns out, after all, to be the support of paid "rings." Under the circumstances, who ruled the Province? The "railway rings." This fact having come to the knowledge of the Lieutenant-Governor, what else could he do, in "regard to the general condition and welfare of the country," than dismiss the men who were ruining the Province to retain office? This secret explains the very evident indisposition shown by the Government to communicate their policy to the representative of the Crown. Mr. DeBoucherville knew the Hon. Mr. Letellier de St. Just to be averse to further railway subsidies, and, therefore, he wrongfully concealed from him that he was going to concede them. Nothing can be more forcible than the Lieutenant-Governor's indictment against his advisers. They completely thrust him to one side; using his signature even to proclamations without his sanction; introducing measures in his name without consulting him, and carrying on the Administration exactly as if there had been no head to the executive. When remonstrated with, the Premier replied, that he had always done so during the term of office of "the late lamented Mr. Caron." It would have been as well to have abstained from that allusion, as it is perfectly well known that, for a long period before his demise, Mr. Caron had been in a state of mental infirmity, which precluded his attending to business. And, further, the fact that the predecessor might have failed to do his duty, could scarcely

be a valid reason for the present Lieutenant-Governor's doing likewise. The most extraordinary statement, however, in the whole correspondence, is the answer made by Mr. DeBoucherville to displeasure marked by the Lieutenant-Governor at the attempt, in the "Act respecting the Quebec, Montreal, Ottawa and Occidental Railway," to over-ride and set aside the authority of the Courts of the land. The Premier's reply was, that: "The Government, while undertaking, in the first place, by the said law to fulfil the conditions which had been agreed upon with the said municipalities, considered that in substituting for the ordinary Courts, the Lieutenant-Governor with an Executive Council responsible to the Legislature and to the people, it offered to the parties interested a tribunal which afforded as many guarantees as the ordinary Courts." What must strike one most forcibly in reading such a document as the above, is the stupendous ignorance and self-conceit of the men who drafted and approved of it. To begin with, the lawyers forming part of the Ministry might, perhaps, be considered competent to discharge the duties of District Magistrates, but there is not one of them qualified to fill, with dignity, a seat on the Superior Court Bench. This fact is notorious to the whole profession. In the second place, supposing them to have been qualified, which they were not, they were parties to the case, and on that ground every one of them should have been recused. And finally, the greatest objection of all, under our Constitution, the administrative, legislative and judicial branches must be kept separate and distinct, no two can be merged without serious danger to the interests and liberties of the subject. The legislative and executive, through the subserviency of the Council and the venality of the Assembly, may be said to have become one, the Legislature as they fully proved being prepared to pass any measure, however arbitrary and unconstitutional, at the bidding of the Ministry, by securing judicial powers as well to enforce their unjust laws, the thraldom of the Province would have been complete. Then would have been witnessed in its most literal sense, the old Bourbon boast "*Comme veut le roi, ainsi dit le roi.*" The attempt to close the law courts, as the Lieutenant-Governor pointed out in his communication to the Governor-General was a direct infringement of the privileges of the Magna Charta, he might have added that it was a tyrannical measure, the first attempt to enforce which in all probability would have been met by armed resistance and resulted in blood-shed.

Under the circumstances, the Province being nearly ruined, the Ministry ruled by organized and mercenary rings, the Constitution infringed, and the liberty of the subject threatened, and the authority of the Crown set at nought, the Lieutenant-Governor deemed it his duty to dismiss his Ministry and appeal to the people. The result of the elections will show whether his confidence in them was well-founded or not.



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